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INFORMATION AND COMMENTS RECEIVED FROM GOVERNMENTS, UNITED NATIONS BODIES, SPECIALIZED AGENCIES, INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS

Report of the Secretary-General

ANNEX

Reply received from the Government of Paraguay
dated 5 January 1999

GE.99-10057 (E)

MPG/GIN/01/No. 1/99

Geneva, 5 January 1999

Madam,

I have the honour to transmit herewith the replies by the General Human Rights Department of the Ministry of Justice and Labour to the questionnaire prepared by the Intergovernmental Working Group of Experts on Human Rights of Migrants:

"Asunción, 23 December 1998, VMI/DGDH/AT/No. 30/98, Sir: I have the honour to attach herewith, for your consideration and information, the reply to the questionnaire prepared by the Intergovernmental Working Group of Experts on Human Rights of Migrants, which was transmitted by the Ministry of Foreign Affairs, Department of International Organizations, in note VMRREE/DOI/OEA/No. 786/98.

Migration Act No. 978/96, adopted by the Paraguayan Congress, governs migration by foreigners and the emigration and repatriation of nationals with a view to regulating population flows and the manpower the country needs; it also establishes the organization responsible for executing the country's migration policy and implementing the provisions of this Act.

In the context of the MERCOSUR agreements, the member countries decided in 1998 to conduct the censuses for the next decade's round in the year 2000.

Paraguay has not ratified the International Convention on the Protection of the Rights of Migrant Workers (ILO), adopted by the United Nations General Assembly, but the political will to do so does exist at the present time.

The current Government has made positive changes in the main institution responsible for migrants by appointing a new head of the National Migration Department, who has, in the first few months of his term of office, shown that attempts are being made to regularize some outstanding situations. He has considerably speeded up the issuing of the documentation of some 5,000 Brazilians who applied several years ago. The problems resulting from the fact that Brazilian migrants in the country do not have documents still exist, however, especially in the case of those who, because they are poor, do not have the financial resources or the ability to apply for such documents.

The agreement signed on 19 November 1998 by the Ministers for Foreign Affairs of the Republic of Argentina and the Republic of Paraguay facilitates immigration procedures and eliminates the requirement of an employment contract and notarization, which were regarded as means of screening who would be allowed to settle in the country.

It should be noted that Paraguay's main migration problem, in connection with which most violations of the human rights of migrants are committed, continues to be migration from the countryside to the country's main urban

areas. The housing projects set up by the Rural Welfare Institute and many of the settlements inside the country continue to become depopulated. In addition to the strong recessionary effect of the labour market on that crisis, infrastructure in the housing projects and settlements is inadequate and even non-existent; there are no passable roads and no health centres and posts or primary and secondary schools at a reasonable distance. This means that an increasingly larger number of peasant families have to resign themselves to poverty or look for some kind of job alternative in the cities.

At the internal level, agreements have been signed by the municipality of Encarnación, where there is a regional office, and the National Housing Board (CONAVI) in order to make returning Paraguayans' lives financially easier and provide them with assistance from the National Career Development Service (SNPP) to enable them, and their spouses and children, to study for a career in all the subject areas it offers.

The Returnees' Secretariat issues them with an attestation or a certificate exempting them from fees such as consular fees and the fees and fines imposed by the Migration Department; ensuring them prompt attention, exemption from nearly all LACIMET fees, temporary enrolment in educational institutions run by the Ministry of Education and Worship and exemption from customs duties on personal effects.

As a means of encouraging the agrarian reform initiative started by the Rural Welfare Institute (IBR), the Government is also offering financial and political backing for the efforts the Institute is making to provide land and adequate social and productive infrastructure for no fewer than 100,000 peasant families living in, or about to live in, conditions of extreme poverty.

Accept, Sir, the assurances of my highest consideration.

(Signed): Ramona Bertoni
Director-General of Human Rights."

In transmitting the replies of the Republic of Paraguay to the questionnaire prepared by the Intergovernmental Working Group of Experts on Human Rights of Migrants, I take this opportunity to renew to you the assurances of my highest consideration.

(Signed): RODRIGO UGARRIZA
First Secretary
Acting Head of Mission

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